

FORM PTO-1390
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE AND PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

2003882-0016

(KS-P35633-M/USNATL)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Not Yet Assigned

10/500495

INTERNATIONAL APPLICATION NO.
PCT/GB02/05927INTERNATIONAL FILING DATE
December 24, 2002PRIORITY DATE CLAIMED
December 28, 2001

TITLE OF INVENTION

DELIVERY OF NEUTRON CAPTURE ELEMENTS FOR NEUTRON CAPTURE THERAPY

APPLICANT(S) FOR DO/EO/US

BIPIN CHANDRA MULJIBHAI PATEL


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau)
Publication WO 03/055520A1 (53 pp.)
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendment has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment. (including Appendix A – 28 pp.)
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:
 - ☒ International Preliminary Examination Report (9 pp.).
 - ☒ Certificate of Express Mailing (1 pg.)
 - ☒ Statement of Limited Recognition Under 37 CFR 10.9(b) (1 pg.)
 - ☒ Return Postcard
 - ☐
 - ☐

Express Mail No. EV 314105097 US
3714839_1.DOCAtty. Docket No.: 2003882-0016
Client Ref.: KS-P35633-M/USNATL
Customer No.: 24280

U.S. APPLICATION NO. <u>10/500495</u> (if known, see 37 CFR 1.5) Not Yet Assessed		INTERNATIONAL APPLICATION NO. PCT/GB02/05927		ATTORNEY'S DOCKET NUMBER 2003882-0016 (KS-P35633-M/USNATL)	
21. <input checked="" type="checkbox"/> Other items of information: BASIC NATIONAL FEE (37 CFR 1.492 (A) (1) – (5)): Neither international examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <div style="border: 1px solid black; padding: 2px;">\$ 920.00</div>	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<div style="border: 1px solid black; padding: 2px;">\$</div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	182 - 20 =		162 x \$18.00	\$2,916.00	
Independent claims	7 - 3 =		4 x \$86.00	\$ 344.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$ 290.00	
TOTAL OF ABOVE CALCULATIONS =				\$4,470.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$2,235.00	
SUBTOTAL =				\$2,235.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
TOTAL FEES ENCLOSED =				\$2,235.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
TOTAL FEES ENCLOSED =				\$2,235.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 2,235.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 03-1721 in the amount of \$ to cover the above fees. A supplicate copy of this sheet is enclosed c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1721. A duplicate of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO: Patent Group Choate, Hall & Stewart Exchange Place 53 State Street Boston, Massachusetts 02109					
				 SIGNATURE <u>Charles E. Lyon, D.Phil</u> NAME <u>Limited Recognition Under 37 CFR § 10.9(b)</u> REGISTRATION NUMBER	

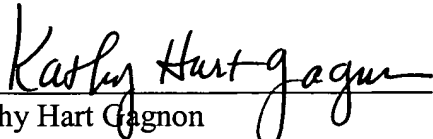
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bipin Chandra Muljibhai Patel
International Application No.: PCT/GB02/05927
International Filing Date: December 24, 2002
Priority Date: December 28, 2001
Title: DELIVERY OF NEUTRON CAPTURE ELEMENTS
FOR NEUTRON CAPTURE THERAPY

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Express Mailing

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as Express Mail, in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date of June 28, 2004.


Kathy Hart Cagnon
Express Mail No.: EV 314105097 US